MINUTE ITEM
This Calendar Item No. C2
was approved as Minute Item
No. 2 by the State Lands
Commission by a vote of 3
to 0 at its 10/28/82
meeting.

CALENDAR ITEM

C02

10/28/82
WP 5983
Louie
Townsend
PRC 5983

GENERAL PERMIT - PUBLIC AGENCY USE

APPLICANT: California State Polytechnic University, Pomona
Attention: Captain James A. McAllister
3801 West Temple Avenue
Pomona, California 91768

AREA, TYPE LAND AND LOCATION:
A 0.08-acre parcel of tide and submerged land located in the Pacific Ocean, offshore of Crystal Cove, Orange County.

LAND USE: Operation and maintenance of an existing kelp test facility.

TERMS OF ORIGINAL PERMIT:
Initial period: One year from May 1, 1981.

Special: Public use and benefit with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

A 74

S 36

(Revised 10/19/82)

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TERMS OF PROPOSED PERMIT:
Initial period: One year from May 1, 1982.

CONSIDERATION: The public use and benefit with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is permittee of upland.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 5/22/83.

OTHER PERTINENT INFORMATION:

1. The California State Polytechnic University, Pomona, has submitted an application for the extension of a one-year General Permit - Public Agency Use, PRC 5983.9, for the operation and maintenance of an artificial bed for cultivation of giant kelp which is used for experimental and educational purposes.

   Concurrently, the Department of Parks and Recreation has been issued a General Lease - Public Agency Use, PRC 6204.9 (Minute Item 15, August 26, 1982) of tide and submerged lands, which includes the subject (PRC 5983.9) lease premises, for the purpose of an underwater park. Both the University and the Department of Parks and Recreation have informed staff that the uses are compatible.

2. The annual rental value of the site is estimated to be $550.

3. This project is exempt from CEQA because it involves an existing facility pursuant to 2 Cal. Adm. Code, Div. 3, Section 2905, Class 1.

4. The project is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category "Class C" which authorizes Multiple Use. The project as proposed will not have a significant effect upon the identified environmental values.

5. Because the project will be for temporary research purposes and use of State land will not exceed one year, it is recommended that the processing fee be waived.

EXHIBITS: A. Land Description.
B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2905; AND FIND THAT THE PROJECT IS CONSISTENT WITH ITS USE CLASSIFICATION.

2. AUTHORIZE ISSUANCE TO CALIFORNIA STATE POLYTECHNIC UNIVERSITY, POMONA OF A ONE-YEAR EXTENSION OF A GENERAL PERMIT - PUBLIC AGENCY USE, PRC 5983.9, FROM MAY 1, 1982; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; FOR THE OPERATION AND MAINTENANCE OF AN EXISTING KELP TEST FACILITY ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

3. AUTHORIZE WAIVER OF THE PROCESSING FEE IN THAT THE PERMIT WILL BE FOR TEMPORARY RESEARCH PURPOSES WITH AN EFFECTIVE TERM OF ONE YEAR ONLY.

EXHIBIT "A"

LAND DESCRIPTION PRC 5983.9

A square parcel of submerged land, 60 feet on all sides, in the Pacific Ocean, Orange County, California, said parcel lying immediately beneath an artificial substrate installation, said substrate having the following geographic coordinates; longitude 117° 50' 28" W. and latitude 38° 34' 12" N.

END OF DESCRIPTION

PREPARED APRIL 16, 1981 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR

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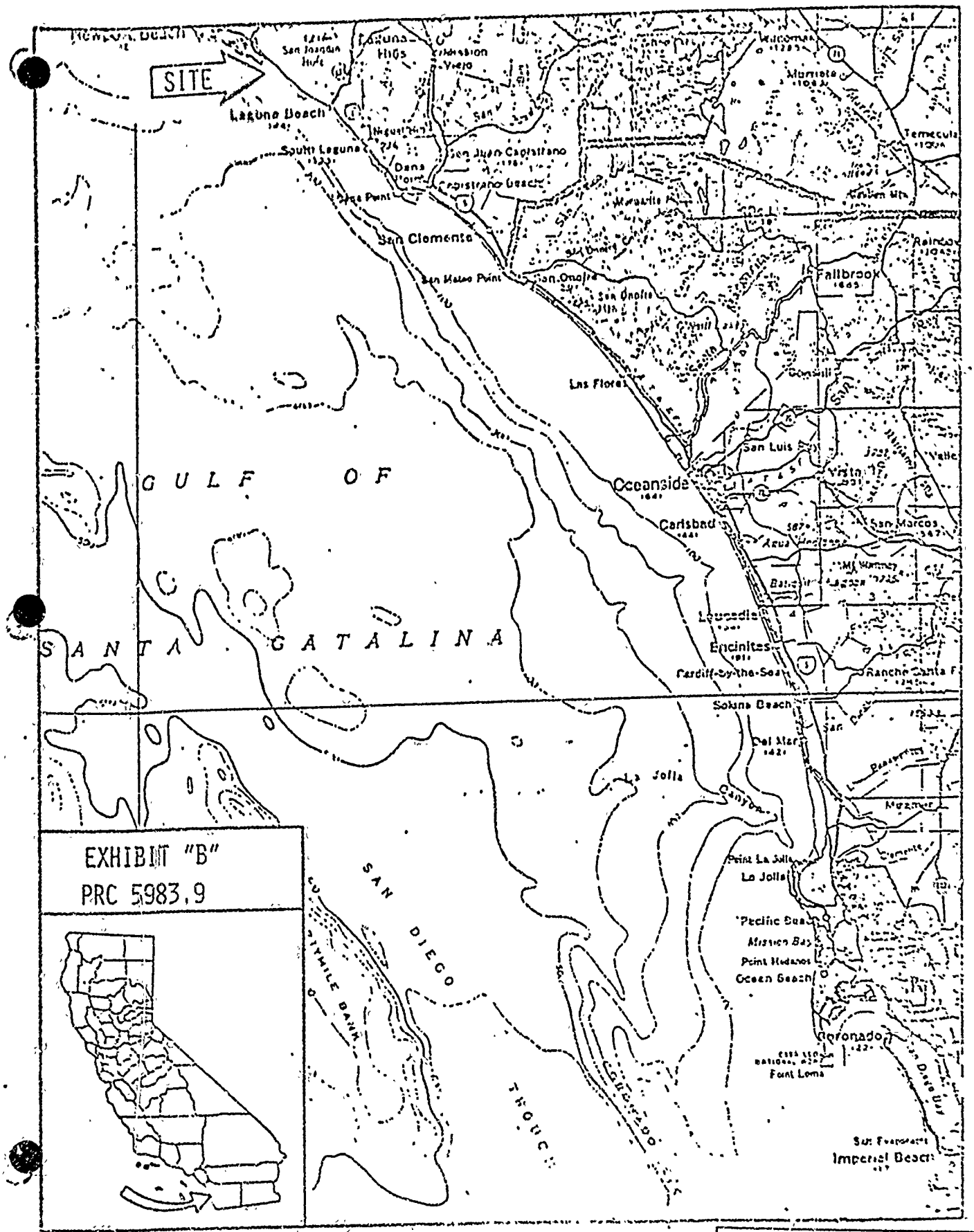

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